

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

ANDRIAL YOUNG,

Plaintiff,

v.

SAM DOBBINS, in his individual capacity;

CHARLES HENDERSON, in his individual capacity and in his official capacity as interim and current Chief of Police of the Lexington, Mississippi Police Department;

THE CITY OF LEXINGTON, MISSISSIPPI;
and

Lexington Police Department Officers JOHN
DOE 1-3, in their individual capacities,

Defendants.

Case No. 3:24-cv-752-HTW-LGI

**COMPLAINT FOR DAMAGES AND
PERMANENT INJUNCTIVE RELIEF**

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff Andrial Young (“Andrial”) by and through his attorneys, brings this action for damages and permanent injunctive relief against Defendants Sam Dobbins, Charles Henderson, Officers John Doe 1 through 3, and the City of Lexington, Mississippi. Andrial alleges, based on personal knowledge and otherwise upon information and belief, the following facts:

PARTIES

1. Andrial is a 40 year-old Black man who was born and raised in Tchula, Mississippi. Andrial has worked at United Reporting Business for the last year and a half. Andrial currently lives in Tchula, Mississippi, and he was living there at the time of his arrest on November 22,

2021.

2. Defendant Sam Dobbins (“Dobbins”) is the former police chief of the Lexington Police Department. On July 20, 2022, the Lexington Board of Alderman voted to remove Dobbins as chief of police after an audio recording of him was leaked to the public. Throughout the 17-minute recording, Dobbins spews racist and homophobic slurs while boasting about killing Black citizens in the line of duty. During his tenure as police chief, Dobbins was responsible for setting and enforcing the Lexington Police Department’s policies and procedures. Yet, Dobbins set a precedent of discriminatory policing as chief of police in Lexington, a reputation that has followed him throughout his career in law enforcement.

3. Defendant Charles Henderson (“Henderson”) is a police officer with Lexington Police Department. Henderson was appointed Interim Police Chief following the Board of Alderman’s vote to remove Dobbins. While Dobbins was Police Chief, Henderson served as his second-in-command, ratifying and carrying out the discriminatory police practices that Dobbins imposed on Lexington.

4. Defendant City of Lexington is a municipality and political subdivision of the State of Mississippi and was, at all relevant times, the employer and principal of Dobbins, Henderson, and the Lexington Police Department.

5. Defendants Lexington Police Department Officers John Doe 1 through 3 are, and/or were, at all relevant times officers of the Lexington Police Department and acted in their capacity as such officers when they engaged in the actions described herein. They are sued in their individual capacities. The true names and total number of John Doe 1 through 3 are unknown to Plaintiff, and therefore Plaintiff sues these Defendants by fictitious names. Plaintiff will amend his complaint once their identities are established.

JURISDICTION AND VENUE

6. This civil-rights action arises under 42 U.S.C. § 1983, *inter alia*, and is based on Defendants’ violation of Andrial’s rights under the Fourth, Fifth, and Fourteenth Amendments of the United States Constitution. This Court has subject-matter jurisdiction over this action pursuant to 28 U.S.C. § 1331 (federal-question jurisdiction) and 28 U.S.C. § 1343 (civil-rights jurisdiction). The Court can exercise supplemental jurisdiction over Andrial’s state law claims under 28 U.S.C. § 1367.

7. The exercise of general and specific personal jurisdiction over Defendants comports with due process. Because Henderson resides in Mississippi and the City of Lexington is located in Mississippi, Henderson and the City are subject to general personal jurisdiction in Mississippi courts. Dobbins, while serving as LPD Police Chief, engaged in unconstitutional misconduct in Mississippi that injured Andrial, a Mississippi resident, giving rise to the claims asserted herein. Dobbins thus “commit[ted] a tort in whole or in part in this state” and “perfor[m]ed ... work or service in this state,” such that this Court may exercise specific personal jurisdiction over Dobbins under Mississippi’s long-arm statute, Miss. Code Ann. § 13-3-57 (2010). For the same reasons, Dobbins personally availed himself of the benefits of Mississippi such that this Court may exercise specific personal jurisdiction over him consistent with the Due Process Clause of the Fourteenth Amendment. Exercising jurisdiction over Dobbins would not offend traditional notions of fair play and substantial justice.

8. Venue is proper in this District and Division under 28 U.S.C. § 1391(b). A substantial part of the events giving rise to Andrial’s claims transpired in this District and Division—in Lexington, Holmes County, Mississippi.

FACTUAL ALLEGATIONS

Race-Based Discrimination Is Entrenched In Lexington and its Police Department

9. Lexington is a small town in Holmes County, Mississippi, home to approximately 1,547 people. The city has a long history of segregation and race-based socioeconomic stagnation. Eighty-six percent of Lexington’s population is Black, but many of Lexington’s political leaders—including the Mayor, the municipal judge, and Defendant former Police Chief Dobbins—are white. The percentage of Lexington residents living in poverty is more than double the national average. In 1969, the United States Supreme Court ordered Lexington to end de jure segregation. *See Alexander v. Holmes Cnty. Bd. of Educ.*, 396 U.S. 1218 (1969) (Black, Circuit Justice). Over half a century later, the city’s schools remain racially segregated on a de facto basis.

10. Local law enforcement has long perpetuated this racial divide. As far back as 1963, the local sheriff’s office employed violence—including firebombing and shooting—to prevent Lexington’s Black residents from registering to vote.

11. The LPD acknowledged “problems with misconduct within our department” when it implemented a complaint-reporting system for Lexington residents in 2011. *See Justin Purdy, Lexington Police Offer Avenues For Complaints at Local Meeting, Holmes County Herald* (Aug. 18, 2011).

12. Misconduct is still rampant and increased with the appointment of Sam Dobbins as the city’s Chief of Police (and increased further with the subsequent appointment of Defendant Charles Henderson as the city’s Chief of Police).

13. Upon taking the job as Police Chief in 2021, Dobbins pledged to use his position to generate revenue for Lexington and to enrich himself and his fellow LPD officers. Dobbins reportedly promised to make a “million dollars” for Lexington by extracting fines from Lexington’s primarily Black residents, and he boasted to colleagues that he would drum up enough

cash to buy them new cars.

14. To accomplish these ends, Dobbins devised, supervised, and implemented a “Stop-and-Fine” scheme by which he and his officers would—among other unconstitutional practices—stop and detain Lexington’s Black citizens, arrest them on bogus charges, and coerce them into paying exorbitant and often arbitrarily imposed cash “fines” in exchange for their release from custody. As part of this scheme, Dobbins and the LPD told jail personnel that detainees had waived their initial appearances or preliminary hearings—meaning these people were not appearing before a judge and the LPD’s threats of prolonged detention had teeth.

15. Dobbins and his subordinates also refused to accept payments in any form other than cash, and often failed to provide receipts or documentation of the payments. Henderson, as Dobbins’s second-in-command, was the primary enforcer of this “Stop-and-Fine” policy.

16. Former LPD officers have corroborated this policy. For example, former LPD officer Ebony Huntly recounted that Dobbins personally instructed her to add false charges against a detainee for the purpose of extracting more money from her, and that Dobbins regularly added “resisting arrest” and “failure to comply” charges against individuals who neither resisted nor failed to comply.

17. Former LPD deputy Billy Reed has confirmed that Dobbins personally imposed excessive “fines” after each arrest, and that the LPD detained residents for days while their friends and family scrounged together enough cash to comply with Dobbins’s demands.

18. As further explained below, the Department of Justice also corroborated this policy finding that LPD stops and arrests people without probable cause and brings inflated charges in part to collect fines and fees that help fund the department.

19. Dobbins’s “Stop-and-Fine” scheme has borne fruit: In July 2021, Dobbins’s first

month on the job, Lexington's monthly revenue from traffic fines (issued for such alleged violations as failing to wear a seatbelt, following too close, and disturbing the peace) skyrocketed from roughly \$2,500 the previous month to over \$15,000. By March 2022, just eight months later, monthly revenue from traffic fines exceeded \$30,000. That works out to about \$20 per resident—in one month alone.

20. This scheme has resulted in the unlawful arrest, extortion and mistreatment of Lexington's Black residents and specifically affected both Andrial Young and his mother Deborah Powell.

The Unlawful Arrest Of Andrial Young

21. On November 22, 2021, Andrial Young was pulled over by three Lexington Police officers while stopped at a red light, allegedly for failing to wear a seatbelt – despite having one on. Three police officers approached the driver's side of his vehicle, one of which was the Chief of Police, Sam Dobbins. Upon reaching Andrial's window, the police claimed that they smelled marijuana and requested permission to search the vehicle. Andrial declined the search, asserting that there was no marijuana in his vehicle.

22. Despite his refusal, the police officers removed Andrial from his car, placed him in handcuffs, and proceeded to search his vehicle against his objections.

23. The police did not find any illegal substances during their search.

24. Andrial was not read his Miranda rights nor informed of the reason for his arrest at any point during this interaction. After completing their search, the police arrested Andrial and transported him to the local police station.

25. Andrial remained handcuffed and detained for eight hours, and his vehicle was subsequently towed.

Demand for Cash and Subsequent Court Proceedings

26. Upon learning of her son's arrest by telephone, Deborah Powell immediately drove two and a half hours from Memphis, Tennessee to Lexington. Upon arriving at the Lexington Police Station, she was informed that Andrial had been arrested for the possession of a bag of marijuana.

27. Deborah requested that Andrial be issued tickets for his alleged infractions and released.

28. The police officer who arrested Andrial arrived and issued two tickets—one for not having a valid driver's license and another for lacking insurance.

29. The officer demanded \$500 in cash to cover the fines for the tickets and to secure Andrial's release.

30. After making the \$500 cash payment, Deborah received four receipts, even though Andrial only received two tickets.

31. When asked what the additional receipts were for, the officer responded that one was for the drug charge, one was for not wearing a seat belt, one was for not having insurance, and another for an invalid driver's license.

32. Andrial was subsequently released and was forced to pay an additional \$100 to retrieve his truck out of the tow yard.

33. Due to this unjust arrest, Andrial was forced to attend court approximately seven times. However, each court appearance proved inconclusive, as the court could not find sufficient evidence to support his alleged infractions, leading to continuous rescheduling of new court dates. Andrial had to miss work and forego pay for each of these court appearances.

34. For example at court, Defendant Dobbins testified that he issued a ticket to Andrial

for driving without a license, but Andrial had a license, so the judge ordered his money be refunded for that citation. Dobbins then testified that Andrial paid a fine for not wearing a seatbelt, but LPD did not issue a ticket for that infraction, so the judge ordered that fine be refunded as well. Defendant Henderson interjected in court, “what about the drugs?” Since there were no drugs and no ticket was issued for drugs, the judge ordered everyone to go back to the LPD station and get the citations straightened out.

35. Ultimately, the court dismissed the charges due to the lack of evidence and factual support for the citations. Despite the dismissal, each court appearance caused Andrial to lose approximately \$120 per day in wages due to work absences.

Abuse of Deborah Powell

36. On December 30, 2021, Deborah went into the police station to receive reimbursement for Andrial’s tickets, as ordered by the court, but was instructed to leave by Henderson. Deborah explained that she was waiting for the police chief to process the reimbursement.

37. Following this conversation, she was physically confronted, grabbed by her shoulder, thrown against the wall, and subsequently grabbed by the arm and neck before being thrown to the floor. The officer then handcuffed her, stating, “your ass is going to county”. Deborah vocally asserted that she was merely waiting for her money. Henderson proceeded to take her to the car and transport her to jail.

38. Deborah spent five days and four nights in jail. Throughout this time, her throat was severely injured and sore. Due to this injury, she was unable to eat throughout her time in jail and began to feel faint. Her request to see a doctor was denied, and she was told they could not take her to a doctor.

39. Deborah was released only after Andrial paid bail of approximately \$400-\$500.

40. At this time, Andrial and his mother have received no justice or assistance despite experiencing numerous violations of their constitutional rights.

**The Department of Justice’s Investigation of the Lexington Police Department and
the City of Lexington, Mississippi**

41. On November 8, 2023, the United States Department of Justice (“DOJ”) initiated an investigation of the Lexington Police Department. (Findings Report (“Rep.”), attached as Exhibit A at 1).

42. Following the investigation, the DOJ found that “LPD deliberately targets Black people when carrying out its low-level enforcement strategy.” (Rep. at 32).

43. Starting in July of 2021 when Defendant Dobbins became the Police Chief, there was a significant increase in racial disparities in arrests by the LPD, and the disparities *increased* under Defendant Henderson. (Rep. at 34)

44. In 2019, the LPD was 2.5 times more likely to arrest Black individuals than White individuals. By 2022, the LPD was twelve times more likely to arrest Black individuals than White individuals, and this disparity further increased in 2023 when Black individuals were 17.6 times more likely to be arrested. (Rep. at 34).

45. Starting in 2022, the LPD increased traffic offense arrests of Black people. LPD arrested three people total for traffic offenses in 2017, but made over a hundred traffic offense arrests in 2022. “Within Holmes County, such high arrest rates for traffic violations appear to be unusual. In 2022, LPD jailed nearly four times as many people for traffic violations as five neighboring jurisdictions, plus the Homes County Sheriff’s Office, combined.” Further, “although white people comprise about a fifth of Lexington’s population, in 2022 and 2023, LPD arrest only

four white people for traffic offenses” (out of more than 180 arrests). (Rep. at 35).

46. The LPD has a practice of making unjustified arrests. (Rep. at 2). The DOJ corroborated LPD’s “Stop-and-Fine” scheme. (Rep. at 14-15). The DOJ found that “LPD arrests people for conduct that does not meet the elements of the charged offense” and “stops people for conduct that is manifestly not criminal—even though the Fourth Amendment requires that stops be justified by reasonable suspicion of a crime.” *Id.* at 14. The DOJ further found, “[e]ven when LPD has a basis to make a stop or an arrest, officers regularly bring inflated charges or add additional charges unsupported by the law.” *Id.* LPD benefits from stopping and arresting people without probable cause and inflating charges because “[e]very charge generates a separate fine. Thus, the more charges LPD brings, the more money LPD gets. And since many people pay the fines for their charges directly to the police instead of litigating in court, even baseless charges can bring in cash.” *Id.* at 14-15. The DOJ concluded, “[u]ltimately, LPD officers aim to charge people for as many crimes as they can, often without regard to the evidence and the law.” *Id.* at 15.

47. The LPD also has a practice of conducting illegal searches, “search[ing] people and their property without justification.” (Rep. at 2, 8). The LPD deliberately misrepresents facts to justify searches, and improperly uses “inventory searches” of vehicles “to search any car they tow for evidence of crimes – not to actually make an inventory of valuables.” (Rep. at 18).

48. Individuals reported to the DOJ that picking up children from school or driving to work “feels like a high-stakes gamble on their liberty and financial security” because “LPD’s unconstitutional conduct deeply harms the Lexington community.” (Rep. at 44).

49. The DOJ concluded that “Lexington and LPD violate people’s rights at every stage of their interaction with them – during initial encounters with the police, when police detain and arrest them, and even after the person is in jail.” Further, “LPD has a persistent pattern or practice

of unconstitutional conduct.” (Rep. at 3 & 8).

50. A former LPD officer has admitted that the LPD regularly let white people leave without a ticket or arrest after a traffic stop, but “never did that for people who were Black. They would arrest the person and take their car.” (Rep. at 36).

51. The LPD uses improper fines to fund the police department itself. In 2022, the DOJ found that the LPD’s revenue from fines increased sevenfold (from \$30,000 annually to over \$240,000): (Rep. at 11). The DOJ found, “[i]n 2023, Lexington collected more than \$220,000 from fines, which made up nearly a quarter (23 percent) of LPD’s budget.” *Id.*



(Rep. at 11).

52. The DOJ recommended numerous reforms that should be undertaken by the LPD, including policies, training and supervision aimed at ensuring that: officers are not unlawfully discriminating against Black people; officers use constitutional standards when utilizing force during stops, searches and arrests; detentions, arrests and the setting of money bail are constitutional and lawful; and officers’ conduct is assessed and reviewed, including any complaints/allegations of officer misconduct, *inter alia*. These recommended policies, training

and supervision have not been in place prior to the DOJ's report dated September 26, 2024.

CLAIMS FOR RELIEF

Count I (42 U.S.C. § 1983)

Unreasonable Search and Seizure in Violation of the Fourth and Fourteenth Amendments (asserted against Defendants Henderson, Dobbins, the City of Lexington, and Does 1-2)

53. Andrial incorporates by reference and realleges all prior paragraphs of this Complaint and the paragraphs in the counts below as though fully set forth herein.

54. 42 U.S.C. § 1983 provides that:

Every person who, under color of any statute, ordinance, regulation, custom or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress....

55. It is clearly established that an officer may not conduct a warrantless seizure or detention of an individual absent “reasonable suspicion that criminal activity is afoot.” *United States v. McKinney*, 980 F.3d 485, 490 (5th Cir. 2020).

56. By arresting Andrial before even searching his vehicle, and proceeding to detain him for eight hours, Dobbins and the two accompanying officers deprived Andrial of his clearly established right to be free from unreasonable searches and seizures under the Fourth Amendment, as made applicable to the states by the Due Process Clause of the Fourteenth Amendment.

57. An officer “seizes” an individual when (a) the officer makes a show of authority, and (b) the individual submits to that show of authority. *United States v. Wright*, 57 F.4th 524, 530-31 (5th Cir. 2023). Submission to a show of authority depends on whether a plaintiff “objectively appeared to believe [s]he was not free to leave.” *Id.* at 533. Reasonable suspicion must be supported by “particular and articulable facts, which, taken together with rational

inferences from those facts, reasonably warrant an intrusion.” *Gonzalez v. Huerta*, 826 F.3d 854, 856 (5th Cir. 2016).

58. Defendants “seized” Andrial the moment that the three police vehicles stopped him and an officer handcuffed him. Andrial was physically restrained and no reasonable person would understand that they were free to leave once they had been handcuffed and then taken to the police station. When the officers stopped and arrested Andrial, he did not attempt to leave, resist, or otherwise show defiance, despite the fact that the officers searched his car after he denied them permission to do so. *See Wright*, 57 F.4th at 432-33 (holding criminal defendant was “seized” under the Fourth Amendment, notwithstanding his refusal to comply with the police officer’s order to stay in the car, because the defendant “d[id] not show defiance,” but rather exited the car slowly, turned to the officer with arms extended, and stated he did not do anything).

59. This seizure was unreasonable and conducted with reckless indifference for Andrial’s constitutional rights, in that the police officers did not have any specific, articulable facts suggesting Andrial was involved in any criminal activity. When Dobbins and the two officers seized Andrial, Andrial was simply stopped at a red light. He was wearing his seatbelt and there was no reason for the officers to stop and arrest him.

60. The officers unlawfully stopped and seized Andrial in accordance with and in furtherance of the City of Lexington’s “Stop-and-Fine” policy, as promulgated, implemented, and enforced by Dobbins as a municipal policymaker, with the knowledge, ratification, and support of the City’s Mayor and the Board of Alderman. As described above, Henderson and Dobbins had a practice of stopping Black individuals and giving them tickets with no grounds to do so. They would then proceed to collect fines from these individuals for their release of custody. Moreover, they only accepted the fines in cash, leaving no paper trail of the payments as they often did not

provide individuals with receipts. Henderson, in his official capacity as Chief of Police, and the City of Lexington are therefore also liable for this violation of Andrial's constitutional rights pursuant to Lexington Police Department's unconstitutional stop-and-fine policy.

Count II (42 U.S.C. § 1983)

Unlawful Arrest in Violation of the Fourth and Fourteenth Amendments

(asserted against Defendants Henderson, Dobbins, the City of Lexington, and Does 1-2)

61. Andrial incorporates by reference and realleges all prior paragraphs of this Complaint and the paragraphs in the counts below as though fully set forth herein.

62. By arresting Andrial without probable cause, Dobbins and the two officers deprived Andrial of his clearly established right to be free from unreasonable searches and seizures under the Fourth Amendment, as made applicable to the states by the Due Process Clause of the Fourteenth Amendment.

63. It is clearly established that a warrantless arrest is objectively unreasonable if the arresting officer lacks probable cause. *United States v. Watson*, 423 U.S. 411, 417-24 (1976); *Davidson v. City of Stafford*, 848 F.3d 384, 391 (5th Cir. 2017).

64. "Probable cause is established by facts and circumstances within the officer's knowledge that are sufficient to warrant a prudent person, or one of reasonable caution, in believing, in the circumstances shown, that the suspect has committed, is committing, or is about to commit an offense." *Arizmendi v. Gabbert*, 919 F.3d 891, 897 (5th Cir. 2019) (quotation omitted). This standard incorporates the "expertise and experience of the law enforcement officials." *United States v. Nunez-Sanchez*, 478 F.3d 663, 667 (5th Cir. 2007) (citations omitted).

65. As stated above, Andrial was simply stopped at a red light at the time that three police cars stopped him. Officers then proceeded to arrest him for allegedly not wearing a seatbelt, even though he was wearing one.

66. No facts or circumstances could have existed within Dobbins's or the two officers' knowledge at the time of Andrial's arrest that would have been sufficient to warrant a reasonable police officer believing he had committed any crime. Nor could a reasonable police officer under the circumstances have believed that Andrial was violating a traffic law when he was stopped at a red light and wearing his seatbelt.

67. The three officers, including Dobbins, unlawfully arrested Andrial in accordance with and in furtherance of Defendants' "Stop-and-Fine" scheme, as promulgated, implemented, and enforced by Dobbins as a municipal policymaker, with the knowledge, ratification, and support of the City's Mayor and the Board of Aldermen. Henderson, in his official capacity as Chief of Police, and the City of Lexington are therefore also liable for the violation of Andrial's constitutional rights, as the violation occurred under the Lexington Police Department's official stop-and-fine policy.

68. In depriving Andrial of his rights under the Fourth Amendment, Dobbins and the two accompanying officers acted with evil intent and reckless indifference for Andrial's constitutional rights under color of law in his capacity as a Lexington police officers.

COUNT III

Deprivation of Property Without Due Process of Law in Violation of the Due Process Clause of the Fourteenth Amendment (asserted against Defendants Dobbins and Henderson, the City of Lexington, and Does 1-3)

69. Andrial incorporates by reference and realleges all prior paragraphs of this Complaint and the paragraphs in the counts below as though fully set forth herein.

70. Defendants' extortion of \$400 - \$500 from Deborah to secure Andrial's release and the towing of his truck were denials of his clearly established right to be free from the deprivation of his property without due process of law under the Due Process Clause of the Fourteenth Amendment.

71. Whether a deprivation of property interest violates due process depends on: (1) “the private interest that will be affected by the official action,” (2) “the risk of an erroneous deprivation of such interest through the procedures used,” and (3) “the Government’s interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirement would entail.” *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976).

72. It is clearly established that conditioning one’s release from jail on the surrender of property requires process that includes, at a minimum, notice and an opportunity to be heard and contest the deprivation. *See, e.g., Craig*, 861 F. Supp. at 1297 (holding it was “clearly established” that an arrestee may not be coerced into signing a disclaimer of interest in seized property in exchange for release from jail without due process of law) (citing *Brewer v. Blackwell*, 692 F.2d 387, 399 (5th Cir. 1982)).

73. First, the private interest at stake for Andrial is far from trivial: a property interest in the amount of \$400-\$500, and separately a property interest in the amount of \$100 to retrieve his truck. As set forth above, Defendants’ taking of Andrial’s money and truck meaningfully and permanently deprived Andrial of his right to that money he used to obtain his mother’s release and his truck from the tow yard.

74. Second, the risk of erroneous deprivation due to Defendants’ “Stop-and-Fine” scheme is exceedingly high, as Andrial had to surrender his money without any process at all, relating to Deborah’s unlawful arrest following her attempt to recover the amounts she had paid for Andrial’s release in connection with the baseless citations the officers had issued him. Additionally, Andrial’s truck was towed in connection with Defendants’ “Stop-and-Fine” policy, where Andrial was stopped and arrested with no ground to do so. Indeed, the court ultimately dismissed the charges due to the lack of evidence and factual support for the citations.

75. Third, there is no legitimate governmental interest in conditioning release from detention on cash payments without notice or the opportunity to contest the deprivation. The facts and circumstances of Andrial's and Deborah's arrests—including Defendants' broader pattern of manufacturing charges against Lexington residents for the purpose of extracting cash fines—suggest that the lack of judicial process was a feature, not a bug, of Defendants' policing and money-making scheme.

76. Dobbins and the two accompanying officers, Henderson, and the officer who required the payment of \$400-\$500 for Andrial's release unlawfully deprived Andrial of his property in accordance with and in furtherance of the City of Lexington's "Stop-and-Fine" policy, as promulgated, implemented, and enforced by Dobbins as a municipal policymaker, with the knowledge, ratification, and support of the City's Mayor and the Board of Aldermen. The City of Lexington is therefore also liable for the violation of Andrial's constitutional rights.

77. In depriving Andrial of his rights under the Fourteenth Amendment, Dobbins, the two other officers who stopped Andrial, Henderson, and the officer who required Andrial's payment acted with evil intent and reckless indifference for Andrial's constitutional rights under color of law in his capacity as a Lexington police officer, and his actions and omissions were conducted within the scope of his respective official duties or employment. This deprivation under color of law is actionable under, and may be redressed by, 42 U.S.C. § 1983.

COUNT IV

42 U.S.C. § 1983 against Henderson and Dobbins for Racial Discrimination in Violation of the Fourteenth Amendment (Equal Protection)

78. Andrial incorporates by reference and realleges all prior paragraphs of this Complaint and the paragraphs in the counts below as though fully set forth herein.

79. Andrial's right to equal protection under the law is protected by the Fourteenth

Amendment to the U.S. Constitution.

80. Dobbins and Henderson were, at all times relevant herein, employees of the Lexington Police Department. Dobbins and Henderson conducted the acts alleged above within the scope of their employment or duties.

81. As a Black man, Andrial is a member of a constitutionally protected class.

82. Dobbins and Henderson treated Andrial differently than similarly situated individuals who are not members of a constitutionally protected class.

83. As more fully described above, Dobbins and Henderson (and the LPD) disproportionately arrested Black people and told them they would be released if they paid a large sum in cash directly to the Lexington Police Department.

84. As more fully described above, Dobbins acted with an intentionally discriminatory purpose when he stopped Andrial at a red light, arrested him, and had his truck towed.

85. Dobbins also acted with an intentionally discriminatory purpose when he conditioned Andrial's release in exchange for Deborah's payment of \$500 in cash. Dobbins attempted to obtain a cash payment for Andrial's release because Andrial is Black. On information and belief, Dobbins and Henderson seek and have sought to obtain cash payments from Black detainees in far greater proportion than from white detainees.

86. As a result of this unlawful misconduct, Andrial was injured, including by losing liberty and income and suffering emotional damage and mental distress. Dobbins and Henderson are therefore liable for damages in an amount to be proven at trial. Andrial is likely to be subject to further racial discrimination without injunctive relief due to being a Black man who lives and works near Lexington, MS, an area where the law enforcement disproportionately arrests Black people.

COUNT V

Conversion of Personal Property or Chattel

(asserted against Dobbins in his individual capacity, and Does 1-2)

87. Andrial incorporates by reference and realleges all prior paragraphs of this Complaint and the paragraphs in the counts below as though fully set forth herein.

88. A plaintiff may assert a claim for conversion where (1) there is a wrongful possession; (2) in exclusion or defiance of the owner's right; and (3) the title of the lawful owner is known. *Covington Cnty. Bank v. Magee*, 177 So. 3d 826, 829 (Miss. 2015).

89. Dobbins's and the accompanying officers' coerced collection of Andrial's truck in connection with his unlawful arrest constitutes a wrongful possession of property to the exclusion or defiance of Andrial's superior right to his property. Dobbins's and the accompanying officers deprived Andrial of his vehicle knowing full well that he was entitled to keep it. Dobbins's and the accompanying officers' wrongful possession of Andrial's property was motivated by malice towards him.

COUNT VI

42 U.S.C. § 1983 (Monell) against the City of Lexington for the Policy or Custom of Unconstitutional Arrests and Detentions in Violation of the Fourth Amendment under Police Department Senior Policymaker Dobbins

90. Andrial incorporates by reference and realleges all prior paragraphs of this Complaint and the paragraphs in the counts below as though fully set forth herein.

91. At all relevant times, Lexington Police Chief Dobbins was a final policymaker of the City of Lexington for the conduct of the Lexington Police Department and the officers and other personnel in his command, including but not limited to the other Individual Defendants, who created, expressly or tacitly communicated, directed, fostered and perpetuated a spoken or unspoken policy or custom of unconstitutionally carrying out arrests without probable cause,

targeting Black individuals, and holding them in jail, sometimes demanding cash payments for their release, in violation of their Fourth and Fourteenth Amendment rights and of Mississippi law.

92. Through the actions and omissions of Dobbins, the City of Lexington established and maintained a policy or custom of violating the Fourth and Fourteenth Amendment rights of citizens or other persons within the jurisdiction of the U.S. by unlawfully arresting and detaining people and demanding illicit cash payments to be released from detention. Specifically, Lexington Police Department officers including Henderson and Dobbins had a practice of arbitrarily stopping Black residents and giving them tickets for made up violations. LPD officers including Henderson and Dobbins would then proceed to collect fines from these individuals for their release of custody. Dobbins reportedly promised to make a “million dollars” for Lexington by extracting fines from Lexington’s primarily Black residents. Dobbins even boasted to colleagues that he would drum up enough cash to buy them new cars. That is precisely what happened with Andrial and his mother Deborah, where Andrial was stopped on unfounded charges and Deborah had to pay the fine for the tickets and secure Andrial’s release.

93. In addition, the unconstitutional misconduct of Dobbins and the other Individual Defendants was so conspicuous and pervasive that senior Lexington policymakers above Dobbins either knew of the Police Department's custom and policy of violating arrestees' constitutional rights or turned a blind eye to the horrific facts; by doing nothing, they tacitly endorsed and perpetuated it.

94. As a direct and proximate result of the City of Lexington's policies, practices, and customs, Andrial was injured, including by losing liberty and income and suffering emotional damage and mental distress. The City of Lexington is therefore liable for damages in an amount

to be proven at trial.

COUNT VII

42 U.S.C. § 1983 - (Monell) Against City of Lexington for the Policy or Custom of Unconstitutional Arrests and Detentions in Violation of the Fourth Amendment Established by its Reckless Appointment of Dobbins as Police Chief Without Due Diligence and its Failure to Investigate, Train, or Supervise Lexington Police Chief

95. Andrial incorporates by reference and realleges all prior paragraphs of this Complaint and the paragraphs in the counts below as though fully set forth herein.

96. When they appointed Dobbins as Lexington Chief of Police, Lexington final policymakers knew of, recklessly disregarded or deliberately ignored substantial evidence of his prior violations of Mississippi law and the United States Constitution while serving in law enforcement departments of other Mississippi municipalities and counties.

97. During Dobbins's yearlong tenure as Lexington Police chief, Lexington final policymakers knew of, recklessly disregarded or deliberately ignored additional reports of unconstitutional and unlawful arrests and imprisonment of Black persons in Lexington by Dobbins and others under his command. They failed adequately to investigate or to respond to such reports or to put in place appropriate training, oversight, supervision or other safeguards to protect people against such violations of law and of the U.S. Constitution.

98. During Dobbins's tenure as Lexington Police Chief, such other senior policymakers acted or failed to act with deliberate indifference to violations by Dobbins and the Lexington Police Department of peoples' constitutional rights. As stated above, Dobbins and the Lexington Police Department arrested and fined primarily Black residents with the intent to collect money from them based on meritless arrests and detentions. These actions were done on such a regular basis that Dobbins reportedly planned to make a “million dollars” for Lexington by extracting fines from Lexington’s primarily Black residents.

99. By such behavior, such Lexington senior policymakers established, condoned and fostered a municipal custom and policy of unconstitutional acts and practices carried out through Dobbins and the Lexington Police Department.

100. As a direct and proximate result of that custom and policy of the City of Lexington, Andrial was injured, including by losing liberty and income and suffering emotional damage and mental distress. The City of Lexington is therefore liable for damages in an amount to be proven at trial.

COUNT VIII

Violation of Title VI of the Civil Rights Act of 1964

(asserted against the City of Lexington)

101. Andrial incorporates by reference and realleges all prior paragraphs of this Complaint and the paragraphs in the counts below as though fully set forth herein.

102. The City of Lexington received federal funding at the time of Andrial's arrest because Lexington Police Department was awarded \$147,476 through the COPS Hiring Program in 2020, an award covering a percentage of officer salaries for three years. As a program receiving Federal financial assistance, City of Lexington is subject to Title VI of the Civil Rights Act of 1964, at minimum, from 2020-2023.

103. Andrial, as a visitor of Lexington, was an intended beneficiary of the Lexington Police Department's services.

104. As more fully described above, the City of Lexington intentionally discriminated against Andrial and this discrimination was so severe, pervasive and objectively offensive that it denied Andrial equal treatment under law.

105. As a result of this unlawful misconduct, Andrial was injured, including loss of

liberty, unlawful bond, emotional damage, and mental distress. The City of Lexington is therefore liable for damages in an amount to be proven at trial.

COUNT IX

Civil RICO

(asserted against Dobbins and Henderson in their individual capacities)

106. Andrial incorporates by reference and realleges all prior paragraphs of this Complaint and the paragraphs in the counts below as though fully set forth herein.

107. It shall be unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity or collection of unlawful debt. 18 U.S. Code § 1962 (c).

108. A person is guilty of extortion if he purposely obtains or attempts to obtain property of another or any reward, favor, or advantage of any kind by threatening to inflict bodily injury on any person or by committing or threatening to commit any other criminal offense, violation of civil statute, or the public or private revelation of information not previously in the public domain for the purpose of humiliating or embarrassing the other person, without regard to whether the revelation otherwise constitutes a violation of a specific statute. Miss. Code § 97-3-82.

109. Dobbins created the stop-and-fine policy that the City of Lexington knew about and ratified. Dobbins, Henderson and other Lexington Police Department officers carried out Lexington's illegal policy.

110. The Lexington Police Department demand that Black individuals pay fines or "debts" to the Department or go to jail. (Rep. at 2).

111. Deborah is not the only person that Dobbins and Henderson have extorted. Dobbins

and Henderson have extorted Lexington residents throughout their time with the Lexington Police Department. Indeed, Dobbins devised, and both Dobbins and Henderson supervised and implemented a “Stop-and-Fine” scheme by which officers would—among other unconstitutional practices—stop and detain Lexington’s Black citizens, arrest them on bogus charges, and coerce them into paying exorbitant and often arbitrarily imposed cash “fines” in exchange for their release from custody.

112. Dobbins and Henderson were employed by the City of Lexington, with the Lexington Police Department. Dobbins and Henderson acted as Police Chief and police officer, respectively, for the Lexington Police Department. Dobbins served as Police Chief for about one year and Henderson was a police officer, and Dobbins’s second in command, until he was appointed as Interim Police Chief after Dobbins’s removal from the position in 2022. As Dobbins’s second in command, Henderson ratified and carried out the discriminatory police practices that Dobbins imposed on Lexington. They associated together for the purpose of collecting money from Lexington residents under the threat of detention.

113. “During Dobbins’s year-long tenure, and continuing under Henderson, LPD has pursued an aggressive approach to policing low-level offenses [and] also make illegal arrests, jailing people for conduct that is not criminal.” (Rep. at 2).

114. The Lexington Police Department’s activities affect interstate commerce. Individuals have been stopped while travelling by the Lexington Police Department.

115. Henderson and Dobbins utilized extortion to conduct the affairs of the Lexington Police Department.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that the Court enter a judgment providing

the following relief:

- all recoverable damages in amounts to be determined at trial, including compensatory damages, treble damages, punitive damages (individual-capacity claims only), and nominal damages;
- an award of costs, reasonable attorney's fees, and post-judgment interest;
- a declaration that Defendants have violated Plaintiff's rights as guaranteed by the Fourth and Fourteenth Amendments to the United States Constitution;
- a declaration that Dobbins and Does 1-3 unlawfully converted Plaintiff's personal property, in violation of Mississippi state law;
- a permanent injunction against Henderson in his individual and in his official capacity, and against the City of Lexington, enjoining and restraining Defendants from interfering with Plaintiff's rights under the U.S. Constitution and Mississippi law, including (1) by searching, seizing, arresting, and imprisoning Plaintiff without probable cause or on pretextual grounds; (2) by detaining Plaintiff without a prompt probable-cause hearing; and (3) by soliciting or accepting payments of any kind from Plaintiff, except in strict compliance with local laws and ordinances, the laws and Constitution of Mississippi, and the laws and Constitution of the United States; and
- such other and further relief as the Court may deem just and appropriate.

JURY DEMAND

Plaintiff respectfully demands trial by jury for all triable matters.

Dated: November 21, 2024

By: J Tom

JOSHUA TOM (MS Bar No. 105392)
ACLU OF MISSISSIPPI
P.O. Box 2242
Jackson, Mississippi 39201
Telephone: (601) 354-3408
Fax: (601) 355-6465
jtom@aclu-ms.org

Attorney for Plaintiff Andrial Young